

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

ERIK MISHIYEV and SHORT-E  
LLC,

Plaintiffs,

v.

Case No: 2:21-cv-162-SPC-MRM

ELISEO CIERRA and  
IHEARTMEDIA INC.,

Defendants.

\_\_\_\_\_ /

**OPINION AND ORDER**<sup>1</sup>

Before the Court is Plaintiffs Erik Mishiyev and Short-E LLC's Motion for Injunction Relief or Restraining Order ([Doc. 48](#)). Mishiyev purported to file the motion *pro se* on behalf of himself and the LLC. But artificial entities—like LLCs—cannot appear in court *pro se* and must be represented by an attorney. [J.J. Rissell, Allentown, PA Trust v. Marchelos, 976 F.3d 1233, 1235 \(11th Cir. 2020\)](#); *see also* M.D. Fla. R. 2.02(b)(2). That remains true even if the person seeking to represent the entity is its sole owner. *See Palazzo v. Gulf Oil*

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

*Corp.*, 764 F.2d 1381, 1385-86 (11th Cir. 1985). Mishiyev may not file a motion on behalf of Short-E, LLC.<sup>2</sup>

Accordingly, it is now

**ORDERED:**

Plaintiffs Erik Mishiyev and Short-E, LLC's Motion for Injunction Relief or Restraining Order ([Doc. 48](#)) is **STRICKEN**.

**DONE** and **ORDERED** in Fort Myers, Florida on September 21, 2021.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record

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<sup>2</sup> United States Magistrate Judge Mac R. McCoy ordered Short-E LLC to retain counsel no later than October 13, 2021. ([Doc. 44](#)).